

WEDNESDAY, APRIL 10, 1985

THIRTY-THIRD LEGISLATIVE DAY

The House met at 2:00 p.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Brother Nick Boone, Madison Church of Christ, Madison, Tennessee.

Representative Hillis led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 98

Representatives present were: Bell, Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--98.

The Speaker announced that Representative Buck was excused because of business.

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MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bills Nos. 10, 37, 152, 178, 188, 392, 464, 510, 613, 653, 800, 823, 829, 882, 1027, 1051, 1052, 1053, 1054, 1055, 1056, 1057 and 1059; and House Joint Resolutions Nos. 179, 153, 181, 182, 184, 185, 186, 187, 188, 189, 190, 192, 193, 194, 195, 196, 199, 200 and 203; with his approval.

WILLIAM H. INMAN,
Counsel to the Governor.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 110, 256, 259, 260, 279, 354, 388, 465, 480, 494, 501, 516, 607, 617, 672, 710, 714 and 985; and House Resolutions Nos. 11 and 12; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 110, 256, 259, 260, 279, 354, 388, 465, 480, 494, 501, 516, 607, 617, 672, 710, 714 and 985; and House Resolutions Nos. 11 and 12.

CALENDAR

Mr. Davidson moved that House Bill No. 826 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

Mr. Speaker McWherter relinquished the Chair to Mr. Bivens, Speaker pro tem.

House Bill No. 386--To enact Right to Natural Death Law.

Mr. Scruggs moved that House Bill No. 386 be passed on third and final consideration.

Mr. Starnes moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 386 by deleting Sections 1 through 10 in their entirety and substituting instead the following new sections:

SECTION 1. This act shall be known and cited as the "Tennessee Right to Natural Death Act".

SECTION 2. The general assembly declares it to be the law of the state of Tennessee that every person has the fundamental and inherent right to die naturally with as much dignity as circumstances permit and to accept, refuse, withdraw from, or otherwise control decisions relating to the rendering of their own medical care, specifically including palliative care and the use of extraordinary procedures and treatment.

The general assembly does further empower the exercise of this right by written declaration, called a "Living Will", and/or by powers of appointment as hereinafter provided.

SECTION 3. The following definitions shall govern the construction and operation of this act:

(1) "Authorized person" means one authorized to make medical care decisions for a declarant by power of attorney or by provisions of his Living Will, as hereinafter provided.

(2) "Competent person" means an individual who is able to understand and appreciate the nature and consequences of a decision to accept or refuse treatment.

(3) "Declarant" means an individual who declares a Living Will under the provisions of this Act.

(4) "Health care provider" means a person, facility, or institution licensed or authorized to provide health or medical care.

(5) "Living Will" means a written declaration, pursuant to this act, stating declarant's desires for medical care or non-care, including palliative care, and other related matters such as organ donation and body disposal.

(6) "Medical care" includes any procedure or treatment rendered by a physician or health care provider designed to diagnose, assess, or treat a disease, illness or injury. These include, but are not limited to, surgery, drugs, transfusions, mechanical ventilation, dialysis, cardiopulmonary resuscitation, artificial or forced feeding, radiation therapy, or any other medical act designed for diagnosis, assessment, or treatment or to sustain, restore, or supplant vital body function.

(7) "Palliative care" includes any measure taken by a physician or health care provider designed primarily to maintain the patient's comfort. These also include, but are

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not limited to, sedatives and pain-killing drugs, non-artificial oral feeding, suction, hydration, and hygienic care.

(8) "Physician" means any person licensed or permitted to practice medical care under Tennessee Code Annotated, Title 63, Chapters 6 and 9.

(9) "Terminal condition" means any disease, illness, injury or condition sustained by any human being from which there is no reasonable medical expectation of recovery and which, as a medical probability, will result in the death of such human being regardless of the use or discontinuance of medical treatment implemented for the purpose of sustaining life, or the life processes.

SECTION 4.

(a) Any competent adult person may execute a declaration directing the withholding or withdrawal of medical care to his person, to become effective on loss of competency, which declaration shall be acknowledged and signed by the declarant in the presence of two (2) witnesses who shall verify in such declaration that they are not related to the declarant by blood or marriage, that they would not be entitled to any portion of the estate of the declarant upon his demise under any will or codicil thereto made by the declarant. In addition, the witnesses shall verify that neither of them is the attending physician nor an employee of the attending physician nor an employee of a health facility in which the declarant is a patient, and neither of them has a claim against any portion of the estate of the declarant. The declaration shall be in the form established in Section 5 hereof.

(b) It shall be the responsibility of the declarant or his agent to deliver a copy of such Living Will or declaration to the attending physician and/or other concerned health-care provider of its existence. An attending physician who is so notified shall make the declaration or a copy of it a part of the declarant's medical record.

SECTION 5. The declaration may be substantially in the following form, but not to the exclusion of other written and clear expressions of intent to accept, refuse, or withdraw medical care.

LIVING WILL

I, _____, willfully and voluntarily make known my desire that my dying shall not be artificially prolonged under the circumstance set forth below, and do hereby declare:

If at any time I should have a terminal condition and my attending physician has determined that there can be no recovery from such condition and my death is imminent, where the application of life-prolonging procedures would serve only to artificially prolong the dying process, I direct that such procedures be withheld or withdrawn, and that I be permitted to die naturally with only the administration of medications or the performance of any medical procedure deemed necessary to provide me with comfortable care or to alleviate pain.

In the absence of my ability to give directions regarding the use of such life-prolonging procedures, it is my intention that this declaration shall be honored by my family and physician as the final expression of my legal right to refuse medical or surgical treatment and accept the consequences of such refusal.

I understand the full import of this declaration, and I am emotionally and mentally competent to make this declaration. In acknowledgement whereof, I do hereinafter affix my signature on this the ____ day of _____, 19 ____.

Declarant

We, the subscribing witnesses hereto, are personally acquainted with and subscribe our names hereto at the request of the declarant, an adult, whom we believe to be of sound mind, fully aware of the action taken herein and its possible consequence.

We the undersigned witnesses further declare that we are not related to the declarant by blood or marriage; that we are not entitled to any portion of the estate of the declarant upon his decease under any will or codical thereto presently existing or by operation of law then existing; that we are not the attending physician, an employee of the attending physician or a health facility in which the declarant is a patient; and that we are not a person who, at the present time, has a claim against any portion of the estate of the declarant upon his death.

Witness

Witness

Subscribed, sworn to and acknowledged before me by _____, the declarant, and subscribed and sworn to before me by _____ and _____,

witnesses, this ____ day of _____, 19 ____.

Notary Public

SECTION 6. A declaration may be revoked at any time by the declarant, without regard to his or her mental state or competency, by any of the following methods, effectively communicated by the declarant or his or her agent to the attending physician or other concerned health care provider:

(a) Written revocation by the declarant, dated and signed by the declarant and at least one (1) witness, or notarized.

(b) By oral statement of revocation by the declarant. Such revocation shall be made a part of the declarant's medical record to the attending physician.

SECTION 7. A declaration shall be effective from the date of its execution unless sooner revoked in a manner prescribed by this act. Nothing in this act shall be construed to prevent a declarant from re-executing a declaration at any time in accordance with the formalities of this act, including re-execution after a diagnosis of a terminal condition. If the declarant has executed more than one declaration, then the latest declaration known to the attending physician shall take precedence. If the declarant becomes comatose or if his condition renders him incapable of communicating with the attending physician, the declaration shall remain in effect during the comatose condition or until the declarant's condition renders him able to communicate with the attending physician.

SECTION 8.

(a) Any physician or other individual health care provider who cannot in good conscience comply with the provisions of such Living Will, on being informed of the declaration, shall so inform the declarant, if the declarant is not competent, his authorized agent, and at their option transfer the patient to another physician who will comply with the declaration. Any health care provider who fails to comply with the preceding procedure as prescribed by the attending physician shall be civilly liable and subject to professional disciplinary action, including revocation or suspension of license.

(b) A physician or other health care provider who by no fault of their own has not received notice of such declaration, revocation, or other change shall not suffer civil, administrative, or criminal penalties under this act.

SECTION 9. Any person who willfully conceals, cancels, defaces, obliterates, or damages the declaration or revocation of another without such declarant's consent, or who falsifies or forges same shall be civilly liable and subject to criminal prosecution for a misdemeanor and if a provider, subject to administrative and professional discipline.

SECTION 10.

(a) The withholding or withdrawal of medical care from a declarant in accordance with the provisions of this act shall not, for any purpose, constitute a suicide, euthanasia, or homicide.

(b) The making of a declaration pursuant to Section 4 herein shall not affect in any manner the sale, procurement, or issuance of any policy of life insurance, nor shall it be deemed to modify the terms of an existing policy of life insurance. No policy of life insurance shall be legally impaired or invalidated in any manner by withholding or withdrawal of medical care from an insured declarant.

(c) No physician, health care facility, or other health care provider, and no health care service plan, insurer issuing disability insurance, self-insured employee welfare benefit plan, or non-profit hospital plan, shall require any person to execute a declaration as a condition for being insured for, or receiving, health care services.

(d) Nothing in this act shall impair or supersede any legal right or legal responsibility which any person may have to effect the withholding or withdrawal of medical care in any lawful manner. In such respect, the provisions of this act are cumulative.

(e) This act shall create no presumption concerning the intention of an individual who has not executed a declaration to consent to the use, withholding, or withdrawal of medical care.

(f) A competent declarant, unable to sign his or her declaration may make a signature as provided in Tennessee Code Annotated, Section 1-3-105.

(g) If any provision of this act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

(h) No physician or health facility which, acting in accordance with the requirements of this act, causes the

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withholding or withdrawal of life-sustaining procedures from a patient, shall be subject to civil liability therefrom. No licensed health professional, acting under the direction of a physician, who participates in the withholding or withdrawal of life-sustaining procedures in accordance with the provisions of this act shall be subject to any civil liability. No physician, or licensed health professional acting under the direction of a physician, who participates in the withholding or withdrawal of life-sustaining procedures in accordance with the provisions of this act shall be guilty of any criminal act or of unprofessional conduct.

SECTION 11. This act shall take effect upon becoming a law, the public welfare requiring it.

Mr. Henry moved the previous question, on the amendment, which motion prevailed.

Thereupon, Amendment No. 1 was adopted by the following vote:

Ayes	70
Noes	18
Present and not voting	5

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Burnett, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Covington, Cross, Curlee, Darnell, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Drew, Frensley, Gafford, Gaia, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, Kisber, Lawson, May, McAfee, McCroskey, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Ridgeway, Robinson (Washington), Scruggs, Severance, Stafford, Swann, Tankersley, Tanner, Treadway, Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Yelton and Mr. Speaker McWherter--70.

Representatives voting no were: Byrd, Crain, Davidson, Dixon, Duer, Ellis, Gill, McNally, Phillips, Pruitt, Rhinehart, Robinson (Davidson), Shirley, Stallings, Turner, C. (Shelby), Wix, Wolfe and Wood--18.

Representatives present and not voting were: Garrett, King, Love, Turner, B. (Hamilton) and Work--5.

Mr. Starnes moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 386 by deleting the words "Health care provider" in Section 3(4) and by substituting instead the following:

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"Health care provider, health care facility, or health facility".

AND FURTHER AMEND by deleting the words "licensed health professional" in the second and third sentences of Section 10(h) and by substituting instead the words "health care provider".

AND FURTHER AMEND by adding the following definition to the amendatory language of Section 3 to be designated as sub-item (10):

(10) "Qualified patient" means a patient who has executed a declaration in accordance with this act and who has been diagnosed and certified in writing to be afflicted with a terminal condition by two (2) physicians who have personally examined the patient, one (1) of whom shall be the attending physician.

On motion, the amendment was adopted.

Thereupon, House Bill No. 386, as amended, passed its third and final consideration by the following vote:

Ayes	61
Noes	32
Present and not voting	5

Representatives voting aye were: Bewley, Bivens, Bragg, Burnett, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Covington, Curlee, Darnell, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Drew, Frensley, Gafford, Gaia, Harrill, Hassell, Henry, Hillis, Hurley, Huskey, Ivy, Jared, Jones, Kernell, Kisber, Lawson, May, McAfee, McCroskey, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murray, Naifeh, Nance, Peroulas, Robinson (Washington), Scruggs, Severance, Stafford, Swann, Tankersley, Tanner, Treadway, Ussery, Webb, West, Whitson, Williams, Work, Yelton and Mr. Speaker McWherter--61.

Representatives voting no were: Bell, Byrd, Copeland, Crain, Cross, Davidson, Dixon, Duer, Ellis, Gill, Kent, King, McNally, Moody, Murphy, Napier, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Shirley, Stallings, Starnes, Turner, C. (Shelby), Turner, L. (Shelby), Wheeler, Winningham, Wix, Wolfe and Wood--32.

Representatives present and not voting were: Brewer, Garrett, Hobbs, Love and Turner, B. (Hamilton).

A motion to reconsider was tabled.

House Bill No. 846--To amend Comprehensive Education Reform Act.

Mr. Cobb moved that House Bill No. 846 be passed on third and final consideration.

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Mr. Work moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 846 by deleting Section 1 thereof in its entirety and renumbering the subsequent sections accordingly.

Mr. Work moved that Amendment No. 1 be withdrawn.

Mr. Henry moved that the motion be tabled, which motion failed by the following vote:

Ayes	31
Noes	60
Present and not voting	2

Representatives voting aye were: Bewley, Chiles, Clark (Sumner), Copeland, Davis (Knox), Duer, Frensley, Gaia, Henry, Hurley, Kent, Lawson, May, McAfee, McCroskey, McNally, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Robinson (Washington), Scruggs, Severance, Stafford, Swann, Tankersley, Webb, Whitson, Williams, Wolfe and Wood --31.

Representatives voting no were: Bell, Bivens, Bragg, Brewer, Burnett, Byrd, Clark (Davidson), Collier, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dills, Dixon, Drew, Gafford, Garrett, Gill, Hillis, Hobbs, Huskey, Ivy, Jared, Jones, Kernell, King, Kisber, Miller, Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Hamilton), Shirley, Stallings, Starnes, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Winningham, Wix, Work and Yelton --60.

Representatives present and not voting were: Cobb and Harrill --2.

Thereupon, on motion of Mr. Work, Amendment No. 1 was withdrawn.

Mr. Work moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 846 in Section 3 of the bill as printed by deleting the last sentence of amendatory paragraph (d) (1), and substituting the following:

Such amount shall be paid by the state to the local education agency for the career ladder program.

AND FURTHER AMEND in Section 3 of the bill as printed by deleting in the last sentence of amendatory paragraph (d) (2), the following:

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funds which it would not have expended if the career ladder educator was employed during the eleventh (11th) or twelfth (12th) month under parts 50 through 55 of this chapter

and substituting instead the following:

funds which it would have expended for employment of that educator during the eleventh (11th) or twelfth (12th) month, if the educator was not employed under the career ladder program during the eleventh (11th) or twelfth (12) month

On motion, the amendment was adopted.

Mr. Cobb moved to amend as follows:

AMENDMENT NO. 3

Amend House Bill No. 846 by deleting from the first paragraph of the amendatory language in Section 31 of the bill as printed the following:

"Peer review under evaluations conducted in conjunction with evaluations conducted by local education agencies for purposes of advancement on the career ladder shall not be conducted by teachers whose place of principal assignment is in the same school building as the teacher being evaluated"

and substituting the following:

Peer review for the evaluation process conducted by local education agencies shall be conducted by a team comprised of the principal of the evaluatee's school, the appropriate instructional or program supervisor in the system, and another professional employee approved by the evaluatee

AND FURTHER AMEND by deleting the second paragraph of the amendatory language of Section 31 of the bill as printed in its entirety.

On motion, the amendment was adopted.

Mr. Cobb moved to amend as follows:

AMENDMENT NO. 4

Amend House Bill No. 846 by adding a new section to amend Tennessee Code Annotated, Section 49-5-5205(g), by deleting the existing language in its entirety and substituting in lieu thereof the following:

"For purposes of career level II and III teacher evaluations pursuant to Section 49-5-5204(b), at least one career level III teacher assigned to an evaluation team shall be from the same general grade area of subject area as the teacher being

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evaluated. For the 1985-86 school year only, a career level III teacher or a professionally trained evaluator may serve as a member of the evaluating team."

On motion, the amendment was adopted.

Mr. Work moved to amend as follows:

AMENDMENT NO. 5

Amend House Bill No. 846 by deleting from the first paragraph of the amendatory language in Section 31 of the bill as printed the following:

shall not be conducted by teachers whose place of principal assignment is in the same school building as the teacher being evaluated

and substituting the following:

shall be conducted by a team comprised of the principal of the evaluatee's school, the appropriate instructional or program supervisor in the system, and another professional employee approved by the evaluatee

AND FURTHER AMEND by deleting the second paragraph of the amendatory language of Section 31 of the bill as printed in its entirety.

Mr. Cobb moved that Amendment No. 5 be withdrawn, which motion prevailed.

Mr. Henry moved the previous question, which motion failed by the following vote:

Ayes	53
Noes	36

Representatives voting aye were: Bell, Bivens, Bragg, Burnett, Byrd, Clark (Davidson), Collier, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dills, Dixon, Gafford, Garrett, Gill, Hassell, Hillis, Hobbs, Huskey, Ivy, Jared, Jones, King, Kisber, Love, Miller, Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Phillips, Rhinehart, Ridgeway, Robinson (Hamilton), Stallings, Starnes, Tanner, Turner, B. (Hamilton), Turner, L. (Shelby), West, Wheeler, Winningham, Wix, Work and Yelton--53.

Representatives voting no were: Bewley, Chiles, Clark (Sumner), Davis (Knox), Duer, Ellis, Frensley, Harrill, Henry, Hurley, Kent, Kernell, Lawson, May, McAfee, McNally, Montgomery, Moody, Moore (Shelby), Peroulas, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Swann, Tankersley, Treadway,

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Turner, C. (Shelby), Ussery, Webb, Whitson, Williams, Wolfe and Wood--36.

Mr. Naifeh moved the previous question, which motion failed by the following vote:

Ayes	53
Noes	37

Representatives voting aye were: Bell, Bivens, Bragg, Brewer, Burnett, Byrd, Clark (Davidson), Collier, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dills, Dixon, Gafford, Gaia, Garrett, Gill, Hillis, Hobbs, Huskey, Ivy, Jared, Jones, King, Kisber, Love, Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Hamilton), Stallings, Starnes, Tanner, Turner, B. (Hamilton), Turner, L. (Shelby), West, Wheeler, Winningham, Wix and Work--53.

Representatives voting no were: Bewley, Chiles, Clark (Sumner), Davis (Knox), Drew, Duer, Ellis, Frensley, Harrill, Henry, Hurley, Kent, Lawson, May, McAfee, McCroskey, McNally, Montgomery, Moody, Moore (Shelby), Peroulas, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Swann, Tankersley, Treadway, Turner, C. (Shelby), Ussery, Webb, Whitson, Williams, Wolfe and Wood--37.

Mr. Ellis moved the previous question, which motion prevailed.

Thereupon, House Bill No. 846, as amended, passed its third and final consideration by the following vote:

Ayes	93
Noes	2

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Collier, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McCroskey, McNally, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--93.

Representatives voting no were: Chiles and McAfee--2.

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A motion to reconsider was tabled.

House Bill No. 111--To waive certain bank merger provisions.

On motion, House Bill No. 111 was made to conform with Senate Bill No. 303.

On motion, Senate Bill No. 303, on same subject, was substituted for House Bill No. 111.

Mr. Murphy moved that Senate Bill No. 303 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Collier, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

A motion to reconsider was tabled.

Mr. Swann moved that House Bill No. 140 be placed on the Calendar for Wednesday, April 17, 1985, which motion prevailed.

FURTHER CONSIDERATION OF SENATE BILL NO. 301

Senate Bill No. 301--To regulate voting absentee by personal appearance, holidays.

Mr. Wheeler moved that Senate Bill No. 301 be passed on third and final consideration.

Mr. McCroskey moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 301 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

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SECTION _____. The provisions of this act shall not apply in any county having a population of not less than 88,700 nor more than 88,800 according to the 1980 federal census of population or any subsequent federal census.

On motion, the amendment was adopted.

Ms. Montgomery moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 301 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. The provisions of this act shall not apply in any county having a population of not less 143,900 nor more than 144,000 according to the 1980 federal census of population or any subsequent federal census.

On motion, the amendment was adopted.

Mr. Wheeler moved to amend as follows:

AMENDMENT NO. 3

Amend Senate Bill No. 301 by inserting the following new section before the effective date section and by renumbering the effective date section accordingly:

Section _____. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

On motion, the amendment was adopted.

Mr. Henry moved to amend as follows:

AMENDMENT NO. 4

Amend Senate Bill No. 301 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. The provisions of this act shall also apply in any county having a population of not less than 48,400 nor more than 48,500 according to the 1980 federal census of population or any subsequent federal census.

On motion, the amendment was adopted.

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Thereupon, Senate Bill No. 301, as amended, passed its third and final consideration by the following vote:

Ayes	82
Noes	7
Present and not voting	3

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Chiles, Clark (Davidson), Collier, Covington, Crain, Curlee, Darnell, Davidson, Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Drew, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Ivy, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Stafford, Stallings, Starnes, Tanner, Treadway, Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--82.

Representatives voting no were: Cobb, Cross, Davis (Cocke), Huskey, Nance, Swann and Tankersley--7.

Representatives present and not voting were: Clark (Sumner), Turner, C. (Shelby) and Wix--3.

A motion to reconsider was tabled.

Mr. Miller moved that House Bill No. 598 be placed on the Calendar for Thursday, May 2, 1985, which motion prevailed.

House Bill No. 707--To provide contracts, future funeral services.

Mr. Rhinehart moved that House Bill No. 707 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	91
Noes	1
Present and not voting	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Collier, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Drew, Duer, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann,

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Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--91.

Representative voting no was: Turner, C. (Shelby)--1.

Representative present and not voting was: Covington--1.

A motion to reconsider was tabled.

House Bill No. 817--To appropriate funds, Safety Department.

Mr. Rhinehart moved that House Bill No. 817 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes	2

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker McWherter--92.

Representatives voting no were: Chiles and Henry--2.

A motion to reconsider was tabled.

House Bill No. 902--To provide for certain tuition, free courses.

Mr. McNally moved that House Bill No. 902 be passed on third and final consideration.

Mr. Work moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 902 by deleting the amendatory language of Section 1 in its entirety and substituting in lieu thereof the following:

"Section 49-7-1__.

(a) For purposes of this section, the term 'educator' refers to any teacher, principal, supervisor, or other

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individual, required by law to hold a valid certificate of qualification for employment in the public schools of this state.

(b) Any educator required to complete one (1) academic course as part of the certification renewal process shall be eligible for tuition reimbursement for course work taken at a state-supported college or university, upon successful completion of the course work and submission of a transcript to the state department of education."

On motion, the amendment was adopted.

Mr. Burnett moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 902 in the amendatory language of Section 1 by deleting the following:

a state-supported college or university at the rate charged by that state-supported college or university

and substituting instead the following:

A STATE-SUPPORTED or a private college or university at a rate not to exceed the maximum rate which would be charged for that course work, or similar course work, at a state-supported college or university

On motion, the amendment was adopted.

Thereupon, House Bill No. 902, as amended, passed its third and final consideration by the following vote:

Ayes	72
Noes	25

Representatives voting aye were: Bell, Bivens, Bragg, Brewer, Burnett, Byrd, Clark (Davidson), Cobb, Collier, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dills, Dixon, Ellis, Gafford, Garrett, Gill, Harrill, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McNally, Miller, Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Shirley, Stallings, Starnes, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Winningham, Wix, Wolfe, Work, Yelton and Mr. Speaker McWherter--72.

Representatives voting no were: Bewley, Chiles, Clark (Sumner), Davis (Knox), Drew, Duer, Frensey, Gaia, Hassell, Henry, McAfee,

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McCroskey, Montgomery, Moody, Moore (Shelby), Nance, Robinson (Washington), Scruggs, Severance, Stafford, Swann, Tankersley, Webb, Williams and Wood--25.

A motion to reconsider was tabled.

House Bill No. 565--To regulate taxation, pollution control equipment.

Mr. McNally moved that House Bill No. 565 be passed on third and final consideration.

Mr. Copeland moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 565 by adding the following language at the end of amendatory subsection (a) of Section 2:

For purposes of this act salvage value shall never exceed 1/2 percent (1/2) of the acquisition value of such equipment.

On motion, the amendment was adopted.

Thereupon, House Bill No. 565, as amended, passed its third and final consideration by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--97.

A motion to reconsider was tabled.

House Bill No. 132--To provide for funding police pay supplement.

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Mr. Kent moved that House Bill No. 132 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 132 by deleting Sections 1 and 2 in their entirety, by substituting instead the following new sections and by renumbering subsequent sections accordingly:

Section ____ . Tennessee Code Annotated, Section 55-4-111, is amended by deleting subsection (a) in its entirety and by substituting instead the following:

(a) In order to facilitate efficient and uniform enforcement of chapters 1-6 of this title, motor vehicles, excepting such motor vehicles as are constructed for the purpose of transporting tangible personal property or other property, are hereby classified and the respective registration taxes imposed are fixed as follows:

Class (A)	Motorcycles - registration fee	\$ 9.75
Class (B)	Motorcycles with three wheels used in the furtherance of a commercial enterprise - registration fee	21.00
Class (C)	Passenger motor vehicles - registration fee	18.95
Class (D)	(1) Trailers held for public rental not exceeding eight feet (8') in width and less than twenty feet (20') in length, exclusive of the tongue - registration fee	9.50
	(2) House trailers, whether privately owned or held for public rental, the chassis and exterior shell of which is designed and constructed for occupancy but with dimensions not exceeding eight feet (8') in width and less than thirty-five feet (35') in length, exclusive of the tongue, and the use of which is limited to vacationing and camping purposes - registration fee	9.50
Class (E)	Antique vehicles - registration fee	11.00

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Class (F)	Mobile home or house trailer - the registration fees shall be for those:	
	(1) Not over 8 ft. in width and not over 35 ft. in length	19.00
	(2) Not over 8 ft. in width and not over 50 ft. in length	25.00
	(3) Not over 8 ft. in width but over 50 ft. in length	31.00
	(4) Not over 10 ft. in width and not over 35 ft. in length	31.00
	(5) Not over 10 ft. in width and not over 50 ft. in length	37.00
	(6) Not over 10 ft. in width and over 50 ft. in length	43.00
	(7) Over 10 ft. in width and whatever length	51.00
Class (G)	Private buses (not for hire) - In the case of buses or motor driven coaches utilized exclusively for transporting either the owner or persons associated with him in a trade, business or vocation, or both of them, together with personalty constituting the tools of such trade, business or vocation, between places where such trade, business or vocation may be carried on, and not used to transport persons or property for hire - registration fee	181.00

Notwithstanding any provision of law to the contrary, the first one dollar (\$1.00) of each registration fee imposed by this subsection shall be paid into the state treasury and credited to the police pay supplement fund.

Section _____. (a) There is created within the general fund a special agency account to be known as the police pay supplement fund.

(b) Any unencumbered funds and any unexpended balance of this fund remaining at the end of any fiscal year shall not revert to the general fund, but shall be carried forward until expended.

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(c) Interest accruing on investments and deposits of the fund shall be returned to the fund and remain a part of the fund.

(d) Notwithstanding any provision of law to the contrary, all funds designated by statute or appropriations act to fund the police pay supplement created pursuant to Tennessee Code Annotated, Section 38-8-111, shall be deposited in the police pay supplement fund and disbursed in accordance with the general appropriations act and the provisions of Tennessee Code Annotated, Section 38-8-111.

On motion, the amendment was adopted.

Thereupon, House Bill No. 132, as amended, passed its third and final consideration by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Collier, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winingham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--93.

A motion to reconsider was tabled.

House Bill No. 771--To provide certain compensation, insurance coverage, utility commissioners.

On motion, House Bill No. 771 was made to conform with Senate Bill No. 683.

On motion, Senate Bill No. 683, on same subject, was substituted for House Bill No. 771.

Mr. Davis (Gibson) moved that Senate Bill No. 683 be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes	95
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Dills, Dixon, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

A motion to reconsider was tabled.

House Bill No. 394--To regulate licensing of insurance agents.

On motion, House Bill No. 394 was made to conform with Senate Bill No. 69.

On motion, Senate Bill No. 69, on same subject, was substituted for House Bill No. 394.

Mr. Stafford moved that Senate Bill No. 69 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	2

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work and Mr. Speaker McWherter--93.

Representatives voting no were: Cobb and Yelton--2.

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A motion to reconsider was tabled.

House Bill No. 267--To provide for damages, negligent cutting of trees.

On motion, House Bill No. 267 was made to conform with Senate Bill No. 607.

On motion, Senate Bill No. 607, on same subject, was substituted for House Bill No. 267.

Mr. Crain moved that Senate Bill No. 607 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--96.

A motion to reconsider was tabled.

House Bill No. 928--To make certain provisions, reinsurance.

On motion, House Bill No. 928 was made to conform with Senate Bill No. 934.

On motion, Senate Bill No. 934, on same subject, was substituted for House Bill No. 928.

Mr. Stafford moved that Senate Bill No. 934 be passed on third and final consideration.

Mr. Stafford moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 934 by inserting in subsection (a)(2) of the amendatory language of SECTION 1 as amended, in each instance

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following the words "or a state bank that is a member of the Federal Deposit Insurance Corporation," the following words:

or a federal or state savings and loan association or savings bank that is a member of the Federal Savings and Loan Insurance Corporation

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 934, as amended, passed its third and final consideration by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wingham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--96.

A motion to reconsider was tabled.

House Bill No. 357--To amend Insecticide, Fungicide and Rodenticide Act.

On motion, House Bill No. 357 was made to conform with Senate Bill No. 79.

On motion, Senate Bill No. 79, on same subject, was substituted for House Bill No. 357.

Mr. Tankersley moved that Senate Bill No. 79 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill,

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Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--96.

A motion to reconsider was tabled.

House Bill No. 873--To clarify law, sprinkler contractors.

On motion, House Bill No. 873 was made to conform with Senate Bill No. 653.

On motion, Senate Bill No. 653, on same subject, was substituted for House Bill No. 873.

Mr. Clark (Sumner) moved that Senate Bill No. 653 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--96.

A motion to reconsider was tabled.

House Bill No. 651--To make certain provisions, rare plants.

On motion, House Bill No. 651 was made to conform with Senate Bill No. 440.

On motion, Senate Bill No. 440, on same subject, was substituted for House Bill No. 651.

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Mr. Cobb moved that Senate Bill No. 440 be passed on third and final consideration.

Mr. Cobb moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 440 by adding a new subsection 3(13) which reads as follows:

"(13) 'Public Works Project' means any federal, state, county or municipal or other governmental project."

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 440, as amended, passed its third and final consideration by the following vote:

Ayes	87
Noes	9

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Curlee, Darnell, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Wix, Wolfe, Wood, Yelton and Mr. Speaker McWherter--87.

Representatives voting no were: Cross, Davidson, Frensley, Gafford, Jared, Rhinehart, Whitson, Winningham and Work--9.

A motion to reconsider was tabled.

Senate Bill No. 252--To continue board of claims.

Mr. King moved that Senate Bill No. 252 be passed on third and final consideration.

Mr. Rhinehart moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 252 by deleting the amendatory language of Senate Amendment #1.

On motion, the amendment was adopted.

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Thereupon, Senate Bill No. 252, as amended, passed its third and final consideration by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--96.

A motion to reconsider was tabled.

Senate Bill No. 259--To regulate qualifications, industrial development corporations.

Mr. Robinson (Davidson) moved that Senate Bill No. 259 be passed on third and final consideration.

Mr. Henry moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 259 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. The provisions of this act shall not apply in any county having a population of not less than 48,400 nor more than 48,500 according to the 1980 federal census of population or any subsequent federal census.

On motion, the amendment was adopted.

Mr. Gill moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 259 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

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SECTION _____. The provisions of this act shall not apply in any county having a population in excess of seven hundred thousand (700,000) according to the 1980 federal census of population or any subsequent federal census.

On motion, the amendment was adopted.

Mr. Naifeh moved to amend as follows:

AMENDMENT NO. 3

Amend Senate Bill No. 259 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. The provisions of this act shall not apply in counties having a population of:

not less than	nor more than
25,300	25,350
85,725	25,825
84,000	84,100
32,925	32,950
49,275	49,375
319,625	319,725

according to the 1980 federal census of population or any subsequent federal census.

On motion, the amendment was adopted.

Mr. Robinson (Davidson) moved to amend as follows:

AMENDMENT NO. 4

Amend Senate Bill No. 259 by adding the following new section immediately preceding the effective date section and by renumbering the subsequent section accordingly:

Section _____. If any provision of this act or the application thereof to any person or circumstance is held invalid, then all provisions and applications of this act are declared to be invalid and void.

On motion, the amendment was adopted.

Mr. Robinson (Davidson) moved that Senate Bill No. 259 be placed on the Calendar for Wednesday, April 17, 1985, which motion prevailed.

Mr. West moved that House Bill No. 523 be placed on the Calendar for Wednesday, April 24, 1985, which motion prevailed.

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House Bill No. 368--To provide for licensure and regulation of bingo.

On motion, House Bill No. 368 was made to conform with Senate Bill No. 408.

On motion, Senate Bill No. 408, on same subject, was substituted for House Bill No. 368.

Mr. Bragg moved that Senate Bill No. 408 be passed on third and final consideration.

Mr. Murphy moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 408 by adding at the end of the original Section 14 (d) the following:

With respect to schools officially approved by the Tennessee state department of education, "person conducting bingo" shall include only the person in charge of conducting bingo on a given day.

Mr. Kent moved that Amendment No. 1 be tabled, which motion prevailed.

Mr. Eillis asked to be recorded as voting "no" on the tabling motion.

Mr. Murphy moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 408 by adding the following new section immediately preceding the severability section:

Section ____ . Tennessee Code Annotated, Section 39-6-609 (b) (7) is amended by adding at the end thereof the following:

With respect to schools officially approved by the Tennessee state department of education, their past and present faculty, administrative personnel, and students, and the immediate families of such faculty, administrative personnel, and students, shall be considered as its members in good standing, providing that each such member shall have been a bona fide resident of the state and county for not less than six (6) months.

Mr. Rhinehart moved that Amendment No. 2 be tabled, which motion prevailed by the following vote:

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Ayes	61
Noes	27
Present and not voting	4

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Burnett, Byrd, Clark (Sumner), Collier, Copeland, Crain, Cross, Curlee, Davis (Cocke), Davis (Gibson), Davis (Knox), Dills, Duer, Frensley, Gafford, Gaia, Hassell, Hillis, Hobbs, Hurley, Huskey, Ivy, Kent, Kisber, Lawson, May, McAfee, McCroskey, McNally, Moore (Shelby), Murray, Nance, Napier, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Stafford, Starnes, Swann, Tankersley, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Webb, Wheeler, Whitson, Winningham, Wix, Wolfe, Wood and Work--61.

Representatives voting no were: Brewer, Clark (Davidson), Cobb, Covington, Darnell, Davidson, DeBerry, Ellis, Gill, Harrill, Jared, Kernell, King, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Naifeh, Peroulas, Shirley, Stallings, Tanner, Ussery, West, Williams and Yelton--27.

Representatives present and not voting were: Drew, Garrett, Henry and Robinson (Hamilton)--4.

Mr. Yelton moved to amend as follows:

AMENDMENT NO. 3

Amend Senate Bill No. 408 by adding to Section 2 between the words "premises" and "during" the words "within the area where bingo is being conducted".

Mr. Bragg moved that Amendment No. 3 be tabled, which motion prevailed.

Mr. Bell moved the previous question, which motion prevailed.

Thereupon, Senate Bill No. 408 passed its third and final consideration by the following vote:

Ayes	81
Noes	14

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Burnett, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Moody, Moore (Shelby), Murray, Naifeh, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Stafford, Stallings,

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Starnes, Swann, Tankersley, Tanner, Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wood, Work and Mr. Speaker McWherter--81.

Representatives voting no were: Byrd, Chiles, Crain, Darnell, Dills, Montgomery, Moore (Sullivan), Murphy, Nance, Treadway, Turner, C. (Shelby), Winningham, Wolfe and Yelton--14.

A motion to reconsider was tabled.

CONSENT CALENDAR

House Bill No. 1065--To exempt certain persons from wheel tax, Campbell County.

House Joint Resolution No. 228--Relative to honoring Unaka High School basketball team.

House Joint Resolution No. 229--Relative to congratulating Gene Quarles.

House Joint Resolution No. 230--Relative to congratulating Burleigh Davis.

House Joint Resolution No. 231--Relative to honoring Hampton High School basketball team.

House Joint Resolution No. 233--Relative to congratulating Downtown Kingsport Optimist Club.

House Joint Resolution No. 234--Relative to memory, former Representative Parnell Taylor.

Mr. Gill moved that the House Bill on the Consent Calendar be passed on third and final consideration, and all House Joint Resolutions on the Consent Calendar be adopted, which motion prevailed by the following vote:

Ayes	98
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner

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(Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--98.

A motion to reconsider was tabled.

BILLS RE-REFERRED

On motion of Mr. Murray, House Bill No. 993 was recalled from the Committee on Calendar and Rules.

On motion of Mr. Murray, House Bill No. 993 was referred to the Committee on Commerce.

On motion of Mr. Wheeler, House Bill No. 497 was recalled from the Committee on Education.

On motion of Mr. Wheeler, House No. 497 was referred to the Committee on General Welfare.

BILLS WITHDRAWN

On motion of Mr. Bivens, House Bill No. 290 was recalled from the Committee on State and Local Government.

On motion of Mr. Bivens, House Bill No. 290 was withdrawn from the House.

On motion of Mr. Frensley, House Bill No. 712 was recalled from the Committee on State and Local Government.

On motion of Mr. Frensley, House Bill No. 712 was withdrawn from the House.

On motion of Mr. Davidson, House Bill No. 768 was recalled from the Committee on State and Local Government.

On motion of Mr. Davidson, House Bill No. 768 was withdrawn from the House.

On motion of Mr. Tanner, House Bill No. 899 was recalled from the Committee on Commerce.

On motion of Mr. Tanner, House Bill No. 899 was withdrawn from the House.

**STATEMENT IN SUPPORT OF MOTIONS TO WITHDRAW SENATE BILL 857
AND HOUSE BILL 899**

The undersigned, being the sponsors of Senate Bill 857 and House Bill 899 presently pending before the 94th General Assembly of the State of Tennessee, hereby submit the following statement in support of this motion that said bills be withdrawn from the General Assembly, and

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request that the statement be spread upon the journals of their respective Houses.

The reason for the motions is the previous passage by the 94th General Assembly of Senate Bill 293/House Bill 460, which was signed by the Governor and is now Public Chapter No. 30 of the Public Acts of 1985. The said Public Chapter No. 30 confirms the authority of the Tennessee Commissioner of Commerce and Insurance to regulate in the four metropolitan counties of Tennessee that part of the charge for title insurance applicable to search and examination which the Commissioner has done by Rule 0780-1-12 of the Department of Commerce and Insurance. The said Public Chapter No. 30 does confirm such authority, especially in view of the Substance of House Amendment No. 1 which was offered to Senate Bill 293, and which was tabled by the House of Representatives.

Thus, consideration of Senate Bill 857 and House Bill 899 by the General Assembly would be a redundancy, and therefore said bill should be withdrawn.

Respectively,

John R. Rucker
Senator

John Tanner
Representative

NOTICE PURSUANT TO RULE NO. 58

Pursuant to Rule No. 58, sponsors gave notice of their intentions to consider the following measures from the Senate on Thursday, April 11, 1985:

House Bill No. 318--Montgomery

House Bill No. 656--Davidson

House Bill No. 508--Cobb

House Bill No. 903--Cobb

SECOND ROLL CALL

A roll call was taken with the following results:

Present 98

Representatives present were: Bell, Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore

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(Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--98.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos.:

107--Relative to proclaiming "Days of Remembrance of the Victims of the Holocaust";

113--Relative to joint convention, address by Mr. Katzir;

120--Relative to congratulating Judi Byrd; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. Starnes moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 120 out of order, which motion prevailed.

Senate Joint Resolution No. 120--Relative to congratulating Judi Byrd.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Starnes, the resolution was concurred in.

A motion to reconsider was tabled.

Mr. Kisber moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 107 out of order, which motion prevailed.

Senate Joint Resolution No. 107--Relative to proclaiming "Days of Remembrance of the Victims of the Holocaust".

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Kisber, the resolution was concurred in.

A motion to reconsider was tabled.

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INTRODUCTION OF RESOLUTIONS

House Joint Resolution No. 237--Relative to congratulating Bolton High School boys' basketball team--By Byrd.

Under the rules, House Joint Resolution No. 237 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 239--Relative to honoring John Robert Bell--By McCrosky and Robinson (Washington).

Under the rules, House Joint Resolution No. 239 was referred to the Committee on Calendar and Rules.

House Resolution No. 22--Relative to commending Deborah Turner --By Peroulas.

Under the rules, House Resolution No. 22 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 240--Relative to congratulating University of Tennessee mens' basketball team--By Scruggs, Bell, Naifeh, Davis (Gibson), Henry, Miller, May, Tanner, Drew, McCroskey, Ridgeway, Peroulas, Davis (Knox), Severance, Hurley, Huskey, Davis (Cocke), Webb, Bewley, Collier, Hobbs, Montgomery, Yelton, Ivy, Cross and DePriest.

Under the rules, House Joint Resolution No. 240 was referred to the Committee on Calendar and Rules.

House Resolution No. 23--Relative to studing systems of penalties, nursing home deficiencies--By Wheeler and Starnes.

The Speaker referred House Resolution No. 23 to the Committee on General Welfare.

RESOLUTIONS LYING OVER

Senate Joint Resolution No. 64--Relative to naming "Allen-Alloway Highway."

The Speaker referred Senate Joint Resolution No. 64 to the Committee on Transportation.

Senate Joint Resolution No. 65--Relative to designating "Arvil W. Anderson Memorial Bridge."

The Speaker referred Senate Joint Resolution No. 65 to the Committee on Transportation.

Senate Joint Resolution No. 66--Relative to designating "Harvey H. and Gerald G. Hannah Memorial Bridge."

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The Speaker referred Senate Joint Resolution No. 66 to the Committee on Transportation.

Senate Joint Resolution No. 67--Relative to designating "Lawrence N. Brown, Sr. Memorial Bridge."

The Speaker referred Senate Joint Resolution No. 67 to the Committee on Transportation.

Senate Joint Resolution No. 92--Relative to commending William Bradley Lockert, Jr.

Under the rules, Senate Joint Resolution No. 92 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 93--Relative to commending Robert Earl Hershey.

Under the rules, Senate Joint Resolution No. 93 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 95--Relative to congratulating James H. Darrell.

Under the rules, Senate Joint Resolution No. 95 was referred to the Committee on Calendar and Rules.

INTRODUCTION OF BILLS

House Bill No. 1070--To regulate Board of Highway Commissioners, Hickman County--By Work.

Passed first consideration.

House Bill No. 1071--To amend Charter, Dayton--By Duer.

Passed first consideration.

House Bill No. 1072--To amend Charter, Dayton--By Duer.

Passed first consideration.

House Bill No. 1073--To enact Johnson City Downtown Development Authority--By McCroskey.

Passed first consideration.

SENATE BILLS ON FIRST CONSIDERATION

Senate Bill No. 196--To regulate Prevailing Wage Act.

Passed first consideration.

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Senate Bill No. 276--To regulate Chattanooga-Hamilton County Hospital Authority.

Passed first consideration.

Senate Bill No. 423--To prohibit acquisition, certain deposit institutions.

Passed first consideration.

Senate Bill No. 630--To regulate institutions which extend credit.

Passed first consideration.

Senate Bill No. 693--To enact Tennessee Modular Building Act.

Passed first consideration.

Senate Bill No. 716--To regulate termination, governmental entities.

Passed first consideration.

Senate Bill No. 921--To regulate minimum business taxation.

Passed first consideration.

Senate Bill No. 922--To regulate Tobacco Tax Law.

Passed first consideration.

Senate Bill No. 923--To provide exemption, certain tangible personal property.

Passed first consideration.

Senate Bill No. 955--To regulate State Representative Districts 76 and 77.

Passed first consideration.

Senate Bill No. 960--To regulate felony offense, certain person assigned to certain release programs.

Passed first consideration.

Senate Bill No. 1034--To regulate open season on foxes, Greene County.

Passed first consideration.

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REPORTS OF STANDING COMMITTEES

COMMERCE

MR. SPEAKER: Your Committee on Commerce begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 696 (with amendment) and 896 (with amendment).

MURRAY, Chairman.

Under the rules, House Bills Nos. 696 and 896 were transmitted to the Committee on Calendar and Rules.

CONSERVATION AND ENVIRONMENT

MR. SPEAKER: Your Committee on Conservation and Environment begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 880, 987 and 1033 and further recommend that pursuant to House Rule No. 71, House Bill No. 880 be referred to the Committee on Finance, Ways and Means.

HILLIS, Chairman.

Under the rules, House Bills Nos. 987 and 1033 were transmitted to the Committee on Calendar and Rules.

Pursuant to House Rule No. 71, the Speaker referred House Bill No. 880 to the Committee on Finance, Ways and Means.

EDUCATION

MR. SPEAKER: Your Committee on Education begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 14 (with amendment), 671 (with amendment) and 1022 and further recommend that pursuant to House Rule No. 71, House Bill No. 671 be referred to the Committee on Finance, Ways and Means.

WORK, Chairman.

Under the rules, House Bills Nos. 14 and 1022 were transmitted to the Committee on Calendar and Rules.

Pursuant to House Rule No. 71, the Speaker referred House Bill No. 671 to the Committee on Finance, Ways and Means.

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 3, 291, 343 (with amendment), 504, 772, 773, 774, 805 (with amendment); and House Joint Resolution No. 6.

BRAGG, Chairman.

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Under the rules, House Bills Nos. 3, 291, 343, 504, 772, 773, 774, 805 and House Joint Resolution No. 6 were transmitted to the Committee on Calendar and Rules.

GOVERNMENT OPERATIONS

MR. SPEAKER: Your Committee on Government Operations begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 82, 122, 155, 170, 172, 176, 177, 181, 191 and 606 and further recommend that House Bills Nos. 82, and 122 be referred to the Committee on State and Local Government.

KING, Chairman.

Under the rules, House Bills Nos. 155, 170, 172, 177, 181, 191 and 606 were transmitted to the Committee on Calendar and Rules.

The Speaker referred House Bills Nos. 82 and 122 to the Committee on State and Local Government.

JUDICIARY

MR. SPEAKER: Your Committee on Judiciary begs leave to report that we have carefully considered and recommend for passage: House Bill No. 427.

MURPHY, Chairman.

Under the rules, House Bill No. 427 was transmitted to the Committee on Calendar and Rules.

LABOR AND CONSUMER AFFAIRS

MR. SPEAKER: Your Committee on Labor and Consumer Affairs begs leave to report that we have carefully considered and recommend for passage: House Bill No. 878.

ELLIS, Chairman.

Under the rules, House Bill No. 878 was transmitted to the Committee on Calendar and Rules.

STATE AND LOCAL GOVERNMENT

MR. SPEAKER: Your Committee on state and Local Government begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 420, 503, 623, 624, 628, 790 (with amendment), 931 (with amendment), 1012, 1030, 1068, 1069; and House Joint Resolution No. 178 and futher recommend that pursuant to House Rule No. 71, House Bills Nos. 420, 623 and 1012 be referred to the Committee on Finance, Ways and Means.

MILLER, Chairman.

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Under the rules, House Bills Nos. 503, 624, 628, 790, 931, 1030, 1068, 1069 and House Joint Resolution No. 178 were transmitted to the Committee on Calendar and Rules.

Pursuant to House Rule No. 71 the Speaker referred House Bills Nos. 420, 623, and 1012, to the committee on Finance, Ways and Means.

TRANSPORTATION

MR. SPEAKER: Your Committee on Transportation begs leave to report that we have carefully considered and recommend for passage: House Bill No. 767 and further recommend that pursuant to House Rule No. 71, House Bill No. 767 be referred to the Committee on Finance, Ways and Means.

HASSELL, Member.

Pursuant to House Rule No. 71 the Speaker referred House Bill No. 767 to the Committee on Finance, Ways and Means.

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Thursday, April 11, 1985: House Bills Nos. 547, 550, 720, 849, 897, 536, 699; Senate Joint Resolutions Nos. 53 and 54.

GILL, Chairman.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 78, 204, 235, 237, 246, 492, 713, 778, 801, 811, 838, 970, 1032 and 1040; also, Senate Joint Resolutions Nos. 87, 88, 89, 102, 103 and 104; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SIGNED

The Speaker announced that he had signed the following: Senate Bills Nos. 78, 204, 235, 237, 246, 492, 713, 778, 801, 811, 838, 970, 1032 and 1040; and Senate Joint Resolutions Nos. 87, 88, 89, 102, 103, and 104.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed tot return to the House, House Joint Resolution No.:

238--Relative to honoring St. Paul Christian Methodist Episcopal

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Church; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

162--To terminate defense council commission;

341--To regulate state street aid fund;

506--To require notices to lessors, safe deposit boxes;

1058--To extend tax on lodgings, Sevier County; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 110, 256, 259, 260, 279, 354, 388, 465, 480, 494, 501, 516, 607, 617, 672, 710, 714 and 985; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

197--To regulate Criminal Injuries Compensation Fund; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 51--Miller

House Bill No. 132--Drew, Love

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House Bill No. 381--Covington

House Bill No. 495--Dills

House Bill No. 624--Pruitt

House Bill No. 975--Ussery

LOCAL BILLS REFERRED TO CALENDAR AND RULES

In accordance with Rule No. 47, the following local bills, having received authorization for passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bills Nos. 1049, 1066, 1067.

REPORT OF COMMITTEE ON CALENDAR AND RULES

CONSENT CALENDAR

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bills on the Consent Calendar for Thursday, April 11, 1985: House Bills Nos. 1050, 1049, 1066, 1067; House Resolution No. 22; House Joint Resolutions Nos. 237, 239, 240, and Senate Joint Resolutions Nos. 92 and 93.

GILL, Chairman.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.:

210--To provide Advisory Council, contractors board;

377--To regulate issuance, placards, handicapped;

685--To place restrictions, certain video cassette tapes, minors;

847--To regulate certain benefits, financially disadvantaged;

889--To provide work release programs, driving while intoxicated; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 132, 386, 565, 707, 817, 846, 902

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and 1065; House Joint Resolutions Nos. 228, 229, 230, 231, 233 and 234; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

On motion of Mr. Naifeh, the House adjourned until 9:00 a.m. tomorrow.